

REMARKS

Claims 21-40 are pending in this application. Claim 21 is currently amended as follows.

A) Under the definition for J, “-NH-(C₂-C₆alkyl)-” is removed.

B) After the definitions for B and for J the following is added: “or B-J is selected from the group consisting of -C(=O)-CH₂-NH-C(=O)-CH(C₁-C₆alkyl), -C(=O)-CH₂-NH-C(=O)-CH(C₃-C₁₂cycloalkyl)-, -C(=O)-NH-(C₂-C₆alkyl), -S(=O)₂-NH-(C₂-C₆alkyl)-, -C(=O)-NH-, -S(=O)₂-NH-, -C(=O)-CH₂- and -S(=O)₂-CH₂-;”. Support for the change is found at least on page 10, lines 1-3 of the specification as filed.

C) “=NH, and -CH=NH” is removed from the definition of R⁹.

D) Under the definition for R¹⁰, R¹¹, R¹², R¹³ and R¹⁴, “or any member of the group R¹⁰, R¹¹, R¹², R¹³, and R¹⁴, together with the nitrogen to which it is attached forms a 5, 6, or 7 member heterocycle with any other member of the group”, “R¹⁴” is removed from the group because in all instances, R¹⁴ is attached to a carbon.

Claim 23, drawn to a compound of formula III or formula III’, and corresponding to original claim 3, is amended as follows. Formula III is inserted, as it was inadvertently omitted in the previous amendment. Support for the change is found at least in page 8, line 14 through page 9, line 3 of the as-filed application.

Claim 24 is labeled “Withdrawn” to reflect the fact that it is drawn to a nonelected invention.

Claim 30 is currently amended as follows.

A) Under the definition for L “or -CH₂CH₂-” is replaced with “and -CH₂CH₂O-”. The “or” is replaced with “and” as a grammatical correction, and “-CH₂CH₂-” is replaced with

“-CH₂CH₂O-” to correctly reflect the preferences for L listed on page 9, line 15 of the specification as filed.

B) Definitions for R⁹, R¹⁰, R¹¹, R¹², R¹³, and R¹⁴ are removed, as there is no reference to the groups in the remainder of the claim.

The formula following claim 30, but before claim 31, is deleted.

Claim 31 is currently amended to properly insert formula III' within the claim.

Changes in the Specification

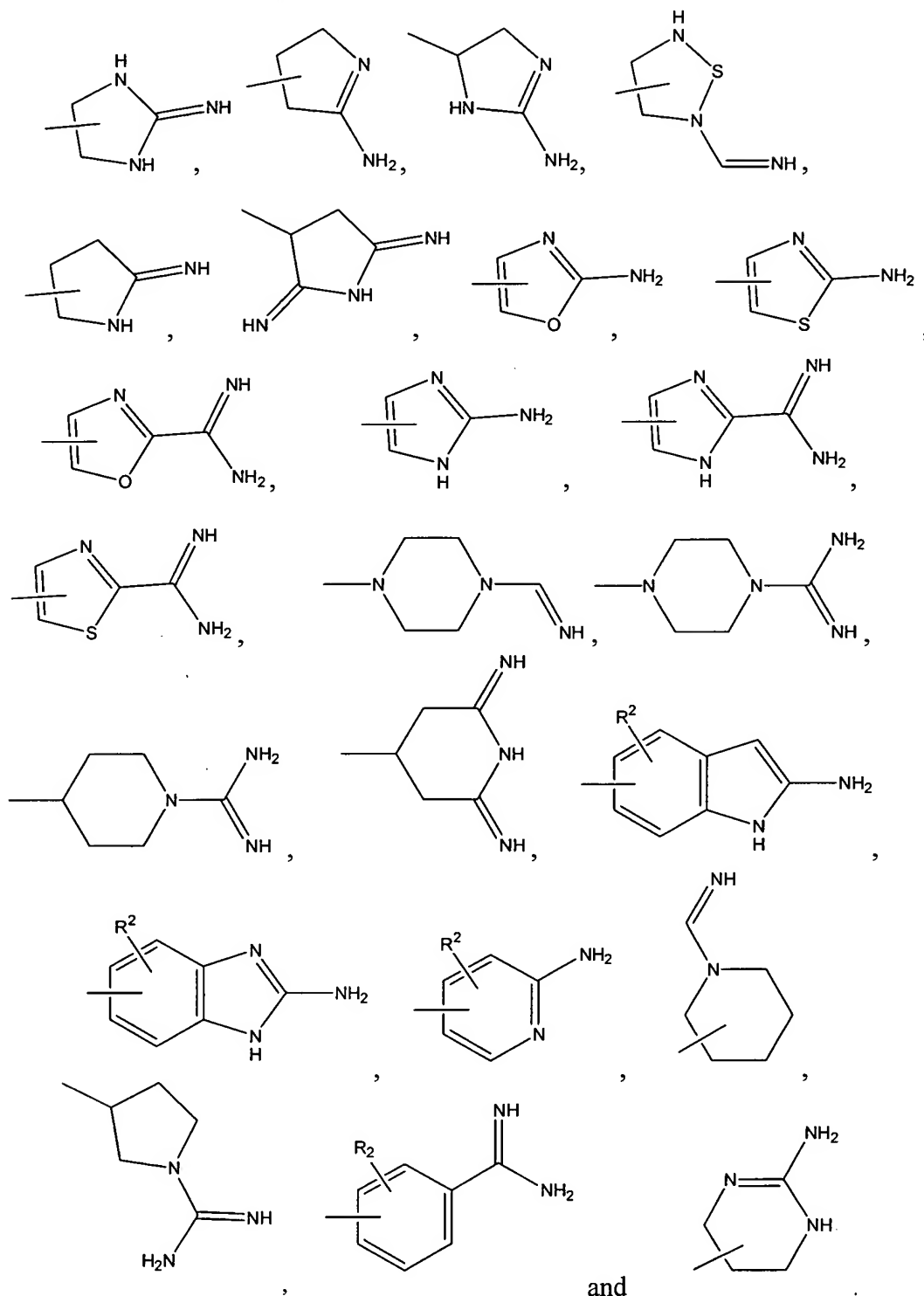
The specification has been amended and support for these changes follows.

On page 3, line 16, the term “-NH-(C₂-C₆alkyl)-” has been removed from the definition for J. This term was added in a prior amendment.

On page 3, line 17, the term “or B-J is selected from the group consisting of -C(=O)-CH₂-NH-C(=O)-CH(C₁-C₆alkyl), -C(=O)-CH₂-NH-C(=O)-CH(C₃-C₁₂cycloalkyl)-, -C(=O)-NH-(C₂-C₆alkyl), -S(=O)₂-NH-(C₂-C₆alkyl)-, -C(=O)-NH-, -S(=O)₂-NH-, -C(=O)-CH₂- and -S(=O)₂-CH₂-” was added to the summary. Support for the change is found at least on page 10, lines 1-3 of the specification as filed.

On page 4, line 12, the following was added to the definition of M, “ or

M is selected from the group consisting of



Support for the change can be found on page 10, lines 4-11 of the specification as filed.

On page 5, line 12, the term “=NH, and -CH=NH” was removed from the definition of R⁹.

On page 5, line 15, under the definition for R¹⁰, R¹¹, R¹², R¹³ and R¹⁴, “or any member of the group R¹⁰, R¹¹, R¹², R¹³, and R¹⁴, together with the nitrogen to which it is attached forms a 5, 6, or 7 member heterocycle with any other member of the group”, “R¹⁴” was removed from the group because in all instances, R¹⁴ is attached to a carbon.

Claim Rejections Under 35 U.S.C. § 112, first paragraph

Claims 21-40 have been rejected under 35 U.S.C. § 112, first paragraph, written description. This rejection is traversed but the claims have been amended as described above such that this amendment has been rendered moot. Withdrawal of this rejection requested.

Claim Rejections Under 35 U.S.C. § 112, second paragraph

Claims 30-31 have been amended thus mooting the rejection as to these claims and those claims dependent thereon. Withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 405422000600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 13, 2004

Respectfully submitted,

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